

**COMMONWEALTH OF MASSACHUSETTS**  
**State Building Code (780 CMR) Appeals Board**  
**Board's Ruling on Appeal<sup>1</sup>**

**Docket No. 09-700**

**Appellant(s):** George Richardson

vs.

**Appellee(s):** City of Milton

Joseph Prondak

**Procedural History**

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from the 6<sup>th</sup> Edition 780 CMR 118.1 for 1253 Canton Avenue, Milton, MA in accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et seq.*; and 780 CMR 122.3.4. The Board convened a public hearing on February 5, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared and testified for the hearing representing the owner, Danielle E. de Benedictis.

**Discussion**

A motion was made to deny the Appellant's request for a variance from the 6<sup>th</sup> Edition of 780 CMR 118.1 based on the exhibits and testimony that was presented. The motion further upholds the building officials order that the Appellant cease to use the building as a boarding house. There was a second on the motion and a board vote was taken, which was unanimous.

**Conclusion**

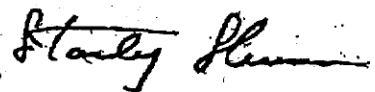
**The Appellant's request for a variance from the 7<sup>th</sup> Edition 780 CMR 118.1 is hereby denied as described in the discussion above and so ordered<sup>2</sup> on this date: February 5, 2009**



Douglas Semple



Jacob Nunnemacher



Stanley Shuman

<sup>1</sup> This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

<sup>2</sup> In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.